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2-14-01  
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PATENT  
Attorney Docket No.: SUV-003.04  
(20017-204)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Scott et al.

Serial No. 08/916,140

Filed: August 21, 1997

Title: Patched Genes and Uses Related Thereto

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)  
)Group Art Unit: 1632  
)Examiner: Schnizer, R.  
)

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**CERTIFICATE MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

2/1/01  
Date of Signature  
and of Mail Deposit

Robert King

Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER  
37 C.F.R. §1.97(b)**

Sir:

Submitted herewith on Form PTO-1449 in compliance with the requirement of 37 C.F.R. 1.56., is a list of references identified in a Communication from U.S. PTO in a related Application. A copy of each reference listed is also being submitted; however, references identified in the form PTO 1449 as AO and AP were previously submitted in two Information Disclosure Statement filed respectively on December 15, 1998 and September 28, 1999 and therefore are not submitted herewith.

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Since this IDS is being submitted before the mailing date of the first Office Action on the merits, no fee is due.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fees due in connection with this submission, please charge the fees to our Deposit Account, No. 06-1448.

Respectfully submitted,  
FOLEY, HOAG & ELIOT, LLP

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